

23 DECEMBER 1946

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Of
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Of
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1 Monday, 23 December, 1946

2 - - -

3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, same as before with the
14 exception of: HONORABLE JUSTICE D. JARANILLA, Member
15 from the Republic of the Philippines, not sitting.

16 For the Prosecution Section, same as before.

17 For the Defense Section, same as before.

18 The Accused:

19 All present except OKAWA, Shumei, who is
20 represented by his counsel.

21 - - -

22 (English to Japanese and Japanese
23 to English interpretation was made by the
24 Language Section, IMTFE.)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: Colonel Damste.

4 LIEUT. COLONEL DAMSTE: Mr. President,
5 Members of the Tribunal.

6 The reason for this discrimination between
7 prisoners of war and civilians is not clear, as the
8 Japanese Government had promised to apply the rules
9 of the Geneva Convention of 1929 regarding prisoners
10 of war to the Dutch civilian internees, as is shown
11 in the cable from the International Red Cross, to
12 the Netherlands Government, dated 20 February 1942,
13 prosecution document 5736. This cable gives even a
14 most reassuring picture of the treatment of the
15 Dutch civilian internees in Japan proper.

16 The prosecution offers this document 5736
17 in evidence.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document
20 No. 5736 will receive exhibit No. 1679.

21 (Whereupon, the document above
22 referred to was marked prosecution's exhibit
23 No. 1679 and received in evidence.)

24 LIEUT. COLONEL DAMSTE: Not before March
25 1944 did the Japanese treat the Dutch civilian

1 internees on an equal footing with the prisoners
2 of war (according to Japanese standards) by bringing
3 them under the administration of the P.O.W. Command,
4 as appears from the affidavits of Major General SAITO
5 and Colonel NAKATA, successive Commanders of the P.O.W.
6 camps in Java.

7 This, however, proved a change for the
8 worse in its results.

9 The prosecution offers for identification
10 document No. 5739, the affidavit of SAITO, and the
11 excerpts thereof as an exhibit.

12 THE PRESIDENT: Mr. Blewett.

13 MR. BLEWETT: If the Court please, the
14 document, No. 5739, as indicated by the prosecution
15 fails to show the statement in the introductory
16 remarks. Insofar as I can ascertain the last ques-
17 tion only pertains to the prosecution's introductory
18 remarks.

19 THE PRESIDENT: We can only note what you
20 say, Mr. Blewett. We have not read the affidavit yet.

21 MR. BLEWETT: Furthermore, sir, we feel
22 obliged to object to the statement of the prosecution
23 with particular emphasis on his statement that, "This,
24 however, proved a change for the worse in its results."

25 THE PRESIDENT: We will reject every statement

1 of a prosecutor not supported by evidence; I can
2 only repeat that.

3 CLERK OF THE COURT: Prosecution's document
4 No. 5739 will receive exhibit No. 1680 for identifi-
5 cation only; and the excerpt therefrom bearing the
6 same document number will receive exhibit No. 1680-A.

7 (Whereupon, the document above
8 referred to was marked prosecution's exhibit
9 No. 1680 for identification only; the excerpt
10 therefrom being marked prosecution's exhibit
11 No. 1680-A and received in evidence.)

12 THE PRESIDENT: The excerpt has been admitted
13 on the usual terms.

14 LIEUT. COLONEL DAMSTE: With the Court's
15 permission I will read a part from this affidavit:

16 "A ... In June 1942 I was appointed head
17 of all prisoners of war camps in Java. I arrived in
18 Java in July 1942 and took up residence in Batavia.
19 Before that I have never been in the Netherlands East
20 Indies. Before my departure for Java I was in Man-
21 churia from October 1940 to June 1942.

22 "Q With what instructions did you come to
23 Java?

24 "A When I was in Manchuria in June 1942
25 I received my appointment for Java by cable. I was

1 then in Mu Tan Tchang. In the same cable were my
2 appointment for Java as well as the order to attend
3 a meeting in Tokyo. This meeting took place on the
4 7th and 8th July 1942 in the War Ministry at Tokyo.

5 "Q Were there any decisions taken during
6 that meeting regarding punishment of prisoners of
7 war for infringement and escapes?

8 "A This was not discussed, but was laid
9 down in typed instructions handed to each of those
10 present at the meeting. Every one read out that
11 particular portion of the instructions which con-
12 cerned him, asked questions and received answers
13 thereto.

14 "Q Did you yourselves put any questions
15 with reference to these instructions?

16 "A I cannot remember having made any
17 questions as I knew nothing of the international
18 regulations regarding prisoners of war, coming just
19 from the war theatre."
20

21 The prosecution offers for identification
22 document No. 5738, the affidavit of Colonel MAKATA.

23 CLERK OF THE COURT: Prosecution's document
24 No. 5738 will receive exhibit No. 1681 for identifica-
25 tion only.

(Whereupon, the document above

1 referred to was marked prosecution's exhibit
2 No. 1681 for identification only.)

3 LIEUT. COLONEL DAMSTE: And the excerpt
4 therefrom as an exhibit.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: The excerpt therefrom
7 bearing the same document number will receive exhibit
8 No. 1681-A.

9 (Whereupon, the document above
10 referred to was marked prosecution's exhibit
11 No. 1681-A and received in evidence.)

12 LIEUT. COLONEL DAMSTE: With the Court's
13 permission I will read a small part from this affidavit:

14 "Q Who gave you instructions regarding your
15 work in respect of prisoner of war and civil internees
16 camps?

17 "A My immediate chief was Fieldmarshal
18 Count TERAUCHI. The instructions he gave me were
19 not directly sent to me by wire, but through head-
20 quarters of the Army Commandant Batavia, Lieutenant
21 General HARADA Kumakichi. The other way round my
22 cables went similarly via these headquarters.

23 "Q What was the nature of these instructions
24 from Count TERAUCHI?

25 "A In my opinion the instructions were not

1 harsh, but not quite benevolent, a sort of middle
2 course was followed.

3 "Q Were you bound to act according to
4 these instructions or could you also act on your own
5 responsibility?

6 "A I have always executed the orders
7 according to instructions and never did I do anything
8 on my own authority.

9 "Q You therefore ordered the treatment of
10 the prisoners of war and civil-internees and you
11 also were the person who gave orders for their
12 transfers?

13 "A Yes, this I did entirely upon orders
14 from TERAUCHI and I can inform you especially that
15 the deportation of prisoners of war was in close
16 relation to the active operations of the Army. Here
17 I can add that I was entirely free in fixing the
18 degree of severity, with which the prisoners of war
19 and internees should be treated."

20 As has been mentioned elaborately in the
21 phase dealing with the Japanese aggression against
22 the Netherlands, almost all Dutch civilians who had
23 not been born in the Netherlands Indies were interned,
24 together with the higher officials born in this coun-
25 try. The total number is estimated by the Netherlands

Indies Government, in the already mentioned document 5737, exhibit 1677, to be about 80,000, women and children included. Of these about 10,500 died or approximately 13%. The remainder, almost 70,000 survivors, is higher than the Japanese figure of 62,500 odd, mentioned by Major de Weerd.

The appalling conditions under which the prisoners of war and civilian internees had to live, of which incidentally some details had leaked out to the outer world, made the Netherlands Government propose to the Japanese Government to arrange an exchange of sick prisoners of war and civilian internees, against Japanese prisoners of war and civilians interned in Allied territory. In the Netherlands Indies the Japanese, as will appear from many documents, put the blame for bad conditions mostly upon the fact that they could not provide sufficient food, and so forth, because of the limited supplies in the country. The Swedish Minister in Tokyo, representing the Netherlands Government, handed to the Japanese Government a concrete proposal for exchange which appears in prosecution document 5757, which is a copy of the memorandum of the said Minister to the Japanese Foreign Ministry, dated January 24, 1944.

ate.

LIEUT. COLONEL DAMSTE: There is a certificate from the Swedish diplomatic representative that covers this, Mr. President.

1 Indies Government, in the already mentioned document
2 5737, exhibit 1677, to be about 80,000, women and
3 children included. Of these about 10,500 died or
4 approximately 13%. The remainder, almost 70,000
5 survivors, is higher than the Japanese figure of
6 62,500 odd, mentioned by Major de Weerd.

7 The appalling conditions under which the
8 prisoners of war and civilian internees had to live,
9 of which incidentally some details had leaked out
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13 internees, against Japanese prisoners of war and
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15 Netherlands Indies the Japanese, as will appear
16 from many documents, put the blame for bad conditions
17 mostly upon the fact that they could not provide
18 sufficient food, and so forth, because of the limited
19 supplies in the country. The Swedish Minister in
20 Tokyo, representing the Netherlands Government,
21 handed to the Japanese Government a concrete pro-
22 posal for exchange which appears in prosecution
23 document 5757, which is a copy of the memorandum
24 of the said Minister to the Japanese Foreign Ministry,
25 dated January 24, 1944.

This humanitarian proposal intended to save the lives of several thousands was met by the bland refusal of the Japanese Government "for military reasons," as appears from the annotation on the said copy, dated February 8, 1944.

The prosecution offers this document No. 5757 in evidence.

THE PRESIDENT: Admitted on the usual terms.

CLERK OF THE COURT: Prosecution's document No. 5757 will receive exhibit No. 1682.

(Whereupon, the document above referred to was marked prosecution's exhibit No. 1682 and received in evidence.)

LIEUT. COLONEL DAMSTE: The Netherlands Government had protested against the location of --

THE PRESIDENT: Mr. Blewett.

MR. BLEWETT: If the Court please, that notation referred to by the prosecution does not appear on the English copy. It may be due to the translation but there is no notation on the English copy whatsoever as to the Japanese reply.

THE PRESIDENT: There is in the certificate.

LIEUT. COLONEL DAMSTE: There is a certificate from the Swedish diplomatic representative that covers this, Mr. President.

1 This humanitarian proposal intended to
2 save the lives of several thousands was met by the
3 bland refusal of the Japanese Government "for
4 military reasons," as appears from the annotation
5 on the said copy, dated February 8, 1944.

6 The prosecution offers this document
7 No. 5757 in evidence.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 5757 will receive exhibit No. 1682.

11 (Whereupon, the document above
12 referred to was marked prosecution's exhibit
13 No. 1682 and received in evidence.)

14 LIEUT. COLONEL DAMSTE: The Netherlands
15 Government had protested against the location of --

16 THE PRESIDENT: Mr. Blewett.

17 MR. BLEWETT: If the Court please, that
18 notation referred to by the prosecution does not
19 appear on the English copy. It may be due to the
20 translation but there is no notation on the English
21 copy whatsoever as to the Japanese reply.

22 THE PRESIDENT: There is in the certificate.

23 LIEUT. COLONEL DAMSTE: There is a certificate
24 from the Swedish diplomatic representative that covers
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3 bland refusal of the Japanese Government "for
4 military reasons," as appears from the annotation
5 on the said copy, dated February 8, 1944.

6 The prosecution offers this document
7 No. 5757 in evidence.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 5757 will receive exhibit No. 1682.

11 (Whereupon, the document above
12 referred to was marked prosecution's exhibit
13 No. 1682 and received in evidence.)

14 LIEUT. COLONEL DAMSTE: The Netherlands
15 Government had protested against the location of--

16 THE PRESIDENT: Mr. Blewett.

17 MR. BLEWETT: If the Court please, that
18 notation referred to by the prosecution does not
19 appear on the English copy. It may be due to the
20 translation but there is no notation on the English
21 copy whatsoever as to the Japanese reply.

22 THE PRESIDENT: There is not a certificate.

23 LIEUT. COLONEL DAMSTE: There is a certificate
24 from the Swedish diplomatic representative that covers
25 this, Mr. President.

1 THE PRESIDENT: Yes. Admitted on the
2 usual terms.

3 LIEUT. COLONEL DAMSTE: The Netherlands
4 Government had protested against the location of
5 prisoners of war in dangerous zones because of the
6 possibility of attacks, and so forth, as appears
7 from prosecution document 5772, which is a copy of
8 a letter of the Swedish Charge d'Affaires in Tokyo
9 to the Japanese Foreign Ministry, dated December 30,
10 1943.

11 The prosecution offers this document No.
12 5772 in evidence.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: Prosecution's document
15 No. 5772 will receive exhibit No. 1683.

16 (Whereupon, the document above
17 referred to was marked prosecution's exhibit
18 No. 1683 and received in evidence.)

19 LIEUT. COLONEL DAMSTE: In this letter the
20 coast of Burma was mentioned as an example thereof.
21 The Japanese Foreign Minister answered that Burma
22 was not a theater that might be dangerous and it
23 was not exposed to attacks: prosecution document
24 5773, being his letter to the Swedish Minister dated
25 May 5, 1944.

1 The prosecution offers this document No.
2 5773 in evidence.

3 THE PRESIDENT: Admitted on the usual terms.

4 CLERK OF THE COURT: Prosecution's document
5 No. 5773 will receive exhibit No. 1684.

6 (Whereupon, the document above
7 referred to was marked prosecution's exhibit
8 No. 1684 and received in evidence.)

9 The Japanese have forced about 270,000
10 Indonesians to perform coolie-labor in other islands
11 and other countries, of whom only 70,000 have been
12 recovered, as stated by Major de Weerd (page 38).
13 As the major part of these so-called "Romushas,"
14 laborers, were conscripted from the population of
15 Java, this attack on the rights of the native popu-
16 lation will be dealt with when evidence is given
17 regarding the committing of B and C Class Offenses
18 in the area Java.
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1 LIEUT. COLONEL DAMSTE: I will proceed
2 now with the presentation of evidence regarding
3 Borneo to complete the evidence presented by Colonel
4 Mornane. This will regard Dutch Borneo.

5 Occupation by the Japanese Navy.

6 I. Prisoners of War.

7 1. Murder.

8 a. Immediately after the surrender of
9 Tarakan, North East Borneo January 1942, about 30
10 Dutch P.O.W. were killed by bayonetting, as appears
11 from the affidavit of Sgt. Maj. J.M.J. Muller, R.N.I.A.;
12 prosecution document 5951 (sub I).

13 The prosecution offers this document 5951
14 for identification and the excerpts as an exhibit.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution's document
17 No. 5951 will receive exhibit No. 1685 for identification
18 only and the excerpts therefrom will receive exhibit
19 No. 1685-A.

20 (Whereupon, the document above
21 referred to was marked prosecution's exhibit
22 No. 1685 for identification only; the excerpts
23 therefrom being marked prosecution's exhibit
24 No. 1685-A and received in evidence.)
25

 LIEUT. COLONEL DAMSTE: With the Court's

1 permission I will read a part of it, that is, number
2 "1"; not the question but the answer, "1."

3 "1. During activities in the surroundings
4 of Tarakan (terrain near the military post Tr. Batoe),
5 a squad of about 32 men of infantry troops, amongst
6 whom was Capt. 'Bendeler', 1st. Lt. 'de Vos' and
7 myself, were made prisoners on January 11th 1942.
8 After we had been asked for the direction to Tarakan
9 and an answer to this question was flatly refused by
10 the Europeans as well as by the natives, we were
11 informed by a Jap interpreter (each squad had a Jap
12 interpreter at their disposal) that we should be
13 killed if we did not give information concerning the
14 road leading to Tarakan. The Jap infantry likewise
15 threatened us by gestures. When even this had
16 no success we were handcuffed and with 5 or 6 men
17 tied together, led away right across the swampy
18 terrain. At 2000 hrs we had to bivouac in the open
19 after a day of all possible hardships (neither
20 food nor drink had been supplied). On the following
21 day, January 12, 1942, when Tarakan capitulated, we
22 were tied together in groups of 10 and led away at
23 a distance of about 20 to 25 metres from the bivouac.
24 A Jap interpreter asked our names and ages. Then we
25 were blindfolded and, with our hands tied behind our

1 backs, we were slaughtered with bayonet thrusts by
2 about 15 Japanese soldiers (so-called star-troops).
3 We were bayoneted until we gave no more sign of life.
4 (These beasts in human shape practised in this manner
5 in man-to-man fighting)."

6 6. At the surrender of Tarakan, the Dutch
7 Commander of the island dispatched an officer to
8 instruct one of the coastal batteries to cease fire,
9 as apparently the Japanese had cut the telephone-
10 communication between Dutch Headquarters and that
11 battery. However, the Japanese intercepted this
12 officer and prevented the carrying out of his task.
13 Consequently the coastal battery was not informed of
14 the surrender and sank two Japanese destroyers. Some
15 weeks after the surrender the Japanese selected all
16 the Dutch P.O.W. who had belonged to that battery,
17 about 215 men, and drowned them at sea, by way of
18 revenge. This appears from the second part of
19 Muller's affidavit, and from the sworn report of the
20 Chinese Medical officer Tan Eng Dhong, R.N.I.A.,
21 prosecution document 5952.

22 The prosecution enters this document 5952
23 for identification and the excerpts as an exhibit.

24 CLERK OF THE COURT: Prosecution's document
25 No. 5952 will receive exhibit No. 1686 for identification

1 only.

2 (Whereupon, the document above
3 referred to was marked prosecution's exhibit
4 No. 1686 for identification.)

5 THE PRESIDENT: The excerpt is admitted on
6 the usual terms.

7 CLERK OF THE COURT: And the marked excerpt
8 therefrom, bearing the same document number, will
9 receive exhibit No. 1686-A.

10 (Whereupon, the document above
11 referred to was marked prosecution's exhibit
12 No. 1686-A and received in evidence.)

13 LIEUT. COLONEL DAMSTE: At Longnawan, in the
14 centre of the island, only attainable by a trip through
15 the jungle for many weeks, the Japanese, who arrived
16 there in August 1942, murdered the 35 Dutch troops
17 who had surrendered, after resisting for some time,
18 because they were unaware of the general surrender.
19 This appears from the statement of the Australian Lt.
20 F.R. Oldham, prosecution document 5265.

21 The prosecution enters document 5265 for
22 identification --

23 THE PRESIDENT: Colonel Damste, I am sorry,
24 you didn't tender your synopsis from which you are
25 reading and which is apparently in the hands of the

1 defense.
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3 We are h
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5 all you
6 you rely
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11 1686-A
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simultaneous translation.
difficulty in following
to take for granted
d the supporting documents;
sis. You have read parts
not of the others.

if the Tribunal please,
ution to read exhibit
is evidence is in para-

ave it to us to deal with,

Sir, there is a statement
s intercepted by the Japanese
out that mission. Now,
one of the affidavits.

1 defense. Certainly it is in the hands of the interpre-
2 ters because we are getting a simultaneous translation.
3 We are having the greatest difficulty in following
4 what you are saying. We have to take for granted
5 all you say. You do not read the supporting documents;
6 you rely wholly on the synopsis. You have read parts
7 of one or two documents but not of the others.

8 Mr. Blewett.

9 MR. BLEWETT: Sir, if the Tribunal please,
10 I was waiting for the prosecution to read exhibit
11 1686-A to find out where this evidence is in para-
12 graph 6, the synopsis.

13 THE PRESIDENT: Leave it to us to deal with,
14 Mr. Blewett.

15 MR. BLEWETT: But, Sir, there is a statement
16 there that the messenger was intercepted by the Japanese
17 and prevented from carrying out that mission. Now,
18 I cannot find that in any one of the affidavits.
19
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1 defense. Certainly it is in the hands of the interpreters
2 because we are getting a simultaneous translation.
3 We are having the greatest difficulty in following
4 what you are saying. We have to take for granted
5 all you say. You do not read the supporting documents;
6 you rely wholly on the synopsis. You have read parts
7 of one or two documents, but not all the others.

8 Mr. Blewett.

9 MR. BLEWETT: Sir, if the Tribunal please,
10 I was waiting for the prosecution to read exhibit
11 1686-A to find out where this evidence is in para-
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13 THE PRESIDENT: Leave it to us to deal with,
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15 MR. BLEWETT: But, Sir, there is a statement
16 there that the messenger was intercepted by the Japanese
17 and prevented from carrying out that mission. Now,
18 I cannot find that in any one of the affidavits.
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1 THE PRESIDENT: Up to this point you have
2 been presenting your case very clearly, Colonel Lamste.
3 We should like you to produce that synopsis.

4 MR. BLEWETT: May I have the Court's permission,
5 sir, to ask the prosecution to point out where that
6 evidence is?

7 THE PRESIDENT: We will ask him to do that,
8 Mr. Blewett.

9 MR. BLEWETT: Thank you, sir.

10 LIEUT. COLONEL LAMSTE: I did not enter the
11 synopsis in evidence, Mr. President, because I thought
12 it had no probative value. But if the Court thinks
13 better to offer it in evidence, I will do that.

14 THE PRESIDENT: No, it hasn't, in a sense,
15 but it was arranged in chambers that that course
16 would be followed, because we want to follow clearly
17 what you are saying. It is not intended as evidence,
18 but as a guide to evidence.

19 LIEUT. COLONEL LAMSTE: Am I allowed to enter
20 this synopsis in evidence still, Mr. President?

21 THE PRESIDENT: Yes. It is admitted on the
22 usual terms.

23 CLERK OF THE COURT: Prosecution's document
24 No. 5683 will receive exhibit No. 1687.

25 (Whereupon, the document above

1 referred to was marked prosecution's exhibit
2 No. 1687, and was received in evidence.)

3 LIEUT. COLONEL DAMSTE: The prosecution
4 enters document 5265, being the affidavit of F. R.
5 Oldham for identification, and the excerpts as an
6 exhibit.

7 CLERK OF THE COURT: Prosecution's document
8 No. 5265 will receive exhibit No. 1688 for identifica-
9 tion only.

10 (Whereupon, the document above
11 referred to was marked prosecution's exhibit
12 No. 1688 for identification.)

13 LIEUT. COLONEL DAMSTE: The killing of
14 those people at--

15 THE PRESIDENT: Just a second, Colonel. I
16 cannot listen to what you are saying.

17 My colleagues have been looking into the
18 matter mentioned by Mr. Blewett, and his statements
19 appear to be supported.

20 We will disregard that statement to which
21 Mr. Blewett objects until you produce proof of it.

22 MR. BLEWETT: Thank you.

23 THE PRESIDENT: The excerpt is admitted on
24 the usual terms.

25 CLERK OF THE COURT: And the excerpt of

1 referred to was marked prosecution's exhibit
2 No. 1687, and was received in evidence.)

3 LIEUT. COLONEL DAMSTE: The prosecution
4 enters document 5265, being the affidavit of F. R.
5 Oldham for identification, and the excerpts as an
6 exhibit.

7 CLERK OF THE COURT: Prosecution's document
8 No. 5265 will receive exhibit No. 1688 for identifica-
9 tion only.

10 (Whereupon, the document above
11 referred to was marked prosecution's exhibit
12 No. 1688 for identification.)

13 LIEUT. COLONEL DAMSTE: The killing of
14 those people at--

15 THE PRESIDENT: Just a second, Colonel. I
16 cannot listen to what you are saying.

17 My colleagues have been looking into the
18 matter mentioned by Mr. Blewett, and his statements
19 appear to be supported.

20 We will disregard that statement to which
21 Mr. Blewett objects until you produce proof on it.

22 MR. BLEWETT: Thank you.

23 THE PRESIDENT: The excerpt is admitted on
24 the usual terms.

25 CLERK OF THE COURT: And the excerpt of

1 prosecution's document No. 5265 will receive exhibit
2 No. 1688-A.

3 (Whereupon, the document above
4 referred to was marked prosecution's exhibit
5 No. 1688-A, and was received in evidence.)

6 LIEUT. COLONEL DAMSTE: The killing of those
7 people at Longnawan was done under special orders
8 from the higher command at Tarakan as a punitive
9 measure; statement by the Japanese lieutenant,
10 M. SHOJI: Prosecution document 5244.

11 The prosecution offers this document 5244
12 in evidence.

13 THE PRESIDENT: Admitted on the usual terms.
14 CLERK OF THE COURT: Prosecution's document
15 No. 5244 will receive exhibit No. 1689.

16 (Whereupon, the document above
17 referred to was marked prosecution's exhibit
18 No. 1689, and was received in evidence.)

19 LIEUT. COLONEL DAMSTE: At Samarinda, East
20 Borneo, in February 1945, three American airmen were
21 beheaded; statement by the Japanese warrant officer,
22 TSUDA: Prosecution document 5221.

23 The prosecution offers this document 5221
24 as an exhibit.
25

THE PRESIDENT: Admitted on the usual terms.

1 CLERK OF THE COURT: Prosecution document
2 No. 5221 will receive exhibit No. 1690.

3 (Whereupon, the document above
4 referred to was marked prosecution's exhibit
5 No. 1690, and was received in evidence.)

6 LIEUT. COLONEL DAMSTE: Camps. Only a few
7 camps existed, mainly at Tarakan, Balikpapan, Band-
8 jermasin and Pontianak. Conditions were extremely
9 bad; food was insufficient in quality and quantity;
10 medical supplies were insufficient; exhausting labor,
11 of course on military objects; exposure to Allied
12 attacks; ill-treatment and many severe beatings were
13 other features.

14 a. The prosecution refers to the report
15 of Dr. TAN ENG DHONG, already introduced, exhibit
16 1686-A, which gives a vivid description of conditions
17 at Tarakan POW camp.

18 With the Court's permission, I will read two
19 excerpts of this; that is, page 6, the last paragraph:

20 "All unnecessary clothes were confiscated.
21 Every prisoner of war was only allowed two pairs of
22 pants, no shirts and no coats. Heads had to be
23 shaved, preferably entirely bald. All sorts of books,
24 notes, etc., were taken away and burnt. Nobody was
25 allowed to possess money or other valuables. The

1 latter was fatal for us; until now we had always been
2 able to smuggle in something like: Katjang idjoe (sort
3 of native beans), cake, fruits, etc., in order to
4 appease our hunger or to make up for our vitamin
5 deficiency. No money meant no extra food. Working
6 with the upper part of the body naked, and bald
7 shaved head caused the number of sick to increase.
8 The high death rate during the months of May, June
9 and July 1944 was due to these measures which broke
10 us both physically and mentally."

11 THE PRESIDENT: I am receiving numerous
12 complaints from my colleagues against the speed at
13 which you are traveling, Colonel. They cannot follow
14 you and they want to do so.

15 Well, continue, Colonel.

16 LIEUT. COLONEL DAMSTE: And the second part,
17 I will read from the prosecution document 5952,
18 exhibit 1686-A.

19 THE PRESIDENT: Now pause for a minute or
20 two until we get that particular document.

21 What page?

22 LIEUT. COLONEL DAMSTE: Page 7, third
23 paragraph.

24 THE PRESIDENT: What is the exhibit number?

25 LIEUT. COLONEL DAMSTE: Exhibit No. 1686-A.

1 THE PRESIDENT: It is paged twice. One
2 number is 5 and the other is 7.

3 Where are you reading from? From the third
4 paragraph?

5 LIEUT. COLONEL DAMSTE: From the third
6 paragraph.

7 "It was probably the intention of the Japanese
8 to starve them--"

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1 THE PRESIDENT: Observe the red light,
2 Colonel.

3 LIEUT. COLONEL DAMSTE: (Reading) "It was
4 probably the intention of the Japanese to starve
5 them to death gradually, but I opposed this. The
6 quantity of food we received was so negligible
7 that one could not keep alive on that, namely 75
8 grammes of rice plus 2 - 3 spoonfuls of sajour,
9 (native vegetable soup) with ketimoen (Malay for
10 cucumber) in 24 hours. For about four months I
11 managed to keep them alive, except for one who died
12 from dysentery, thanks to the extra food which I
13 had sent to them clandestinely during the night. In
14 this I was supported by the kitchen and nursing
15 personnel."
16

17 b. Regarding Balikpapan prisoner of war
18 camp, East Borneo, particulars are given in N.E.F.I.S.,
19 Netherlands Forces Intelligence Service report,
20 G.S. Int. 7 Div., Prosecution document 5267.

21 The prosecution enters this document 5267
22 in evidence.

23 THE PRESIDENT: Don't read until I tell
24 you to.

25 It is admitted on the usual terms. Wait
until all the judges get their copy.

1 CLERK OF THE COURT: Prosecution's docu-
2 ment No. 5267 will receive exhibit No. 1691.

3 ("Whereupon, the document above re-
4 ferred to was marked prosecution's exhibit
5 No. 1691 and received in evidence.)

6 THE PRESIDENT: State the page and the
7 paragraph.

8 LIEUT. COLONEL DAMSTE: I will not read
9 this, sir.

10 THE PRESIDENT: Let us have a few minutes
11 in which to peruse it.

12 Yes, Colonel.

13 MR. BLEWETT: If the Court please.

14 THE PRESIDENT: Mr. Blewett.

15 MR. BLEWETT: If the Court please, may I
16 inquire of the prosecution as to the source of the
17 evidence for: "exhausting labor, of course on
18 military objects"?

19 THE PRESIDENT: Have you noted all those
20 cases in which there is an absence of evidence to
21 support the allegation in the synopsis?
22

23 MR. BLEWETT: I tried to read all these
24 documents, sir, and check up on these affidavits
25 as to whether or not this evidence was in the --
going to be put in the record. We had anticipated

1 this difficulty, sir, when we argued this question
2 of synopsis before your Honor.

3 THE PRESIDENT: Synopses and supporting
4 evidence were read to us for days without one
5 complaint from the defense. This morning we are
6 inundated with complaints from the defense. One,
7 at least, is well supported. I was going to sug-
8 gest that we get on to something else while this
9 is threshed out between the defense and the prose-
10 cution, but then everything will be out of order,
11 so we had better plow ahead and see where we get.

12 MR. BLEWETT: All right, sir.

13 THE PRESIDENT: Like Mr. Blewett, my
14 colleagues can find no support in the evidence for
15 the allegations in the synopsis under the heading
16 of "Camps," that is, for the allegations in the
17 first paragraph.

18
19 LIEUT. COLONEL DAMSTE: With the court's
20 permission I would like to read on page 4 of exhibit
21 1686-A. After the second dot line.

22 "The large majority however did coolie-
23 work --"

24 THE PRESIDENT: Give us a chance to find
25 it. Exhibit 1686?

LIEUT. COLONEL DAMSTE: Exhibit 1686-A.

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THE PRESIDENT: What page?

LIEUT. COLONEL DAMSTE: Page 4.

THE PRESIDENT: Page 4.

LIEUT. COLONEL DAMSTE: On page 2, that means a --

THE PRESIDENT: No use talking against that red light. I have tried.

LIEUT. COLONEL DAMSTE: That is on page 2, after the second dotted line.

"The large majority however did coolie-work; in the beginning they were assigned to 101 (Japanese Oil Company); the work was heavy but there was not much beating --"

THE INTERPRETER: Mr. Prosecutor, you have two page numbers on the same page. One is written with typewriter, the other by hand. Which number are you referring to?

LIEUT. COLONEL DAMSTE: The number 2 in the middle.

THE INTERPRETER: Thank you, sir.

LIEUT. COLONEL DAMSTE: "... the work was heavy but there was not much beating nor were the people driven. Suddenly there came an end to this; from 1 September 1942 work was commenced on the airfield. This meant hell for many prisoners

1 of war and I surmise that the prisoners of war
2 here on this devil's island of Tarakan had to do
3 the heaviest work in whole Borneo. Reports from
4 other places, such as Samarinda and Balikpapan,
5 made mention of lighter work and less rough and
6 bestial treatment."

7 THE PRESIDENT: Do you say it was military
8 work because it was work for an oil company and
9 on an airfield?

10 LIEUT. COLONEL DAMSTE: Yes.

11 THE PRESIDENT: Usually you need some
12 express statement that it was so -- that it was used
13 for war purposes. That has always been supplied
14 hitherto.

15 LIEUT. COLONEL DAMSTE: I assume so, sir.

16 Can I go on reading my synopsis?

17 THE PRESIDENT: Yes, go on.

18 LIEUT. COLONEL DAMSTE: Executions.

19 At the prisoner of war camp Bandjermasin, South-
20 East Borneo, in July 1942, three Dutch (Menadonese),
21 prisoners of war, escapees, were executed after re-
22 capture, without trial, as appears from the affidavit
23 of Sgt. P.H. Oudemans, , R.M.I.A.; prosecution
24 document 5269.

25 The prosecution enters this document 5269

1 for identification and the excerpts as an exhibit.

2 THE PRESIDENT: Admitted on the usual
3 terms.

4 CLERK OF THE COURT: Prosecution's docu-
5 ment 5269 will receive exhibit No. 1692 for identi-
6 fication only, and the excerpt therefrom, bearing
7 the same document number, will receive exhibit No.
8 1692-A.

9 (Whereupon, prosecution's docu-
10 ment No. 5269 was marked prosecution's ex-
11 hibit No. 1692 for identification, the
12 excerpt therefrom being marked prosecution's
13 exhibit No. 1692-A and received in evidence.)

14 LIEUT. COLONEL DAMSTE: I refer to prose-
15 cution document 5267, already introduced as exhibit
16 1691.

17 At the prisoner of war camp, Balikpapan,
18 in March 1943 three Dutch and one Indian prisoner
19 of war were murdered for unknown reasons, without
20 trial; as appears from the already introduced --

21 THE PRESIDENT: My colleagues can't fol-
22 low you, Colonel.

23 MR. BROOKE: If the Tribunal please, I
24 would like to request the prosecutor if it would
25 be possible for him to give us this document number

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1 at the first rather than at the last, then we would
2 have a chance to pick up the document and maybe
3 follow some of the excerpts. As a rule, like this
4 case here, when the document is submitted he is
5 already through with it, then we have to go back
6 and we are lost. It would speed it up for us.

7 THE PRESIDENT: That is a reasonable
8 request, but the interpreters will have to be
9 given notice of the change.

Greenberg & Barton

1 LIEUT. COLONEL DAMSTE: c.

2 THE PRESIDENT: You are reading from page
3 of exhibit 1691.

4 LIEUT. COLONEL DAMSTE: Only, when I read,
5 I will announce it beforehand; and just follow in
6 my synopsis on "c," and I will refer to prosecution
7 document No. 5273.

8 I offer this document 5273 for identifi-
9 cation and the excerpts as an exhibit.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document
12 No. 5273 will receive exhibit No. 1693 for identifi-
13 cation only; and the excerpts therefrom, bearing the
14 same document No., will receive exhibit No. 1693A.

15 (Whereupon, prosecution's docu-
16 ment No. 5273 was marked prosecution's
17 exhibit No. 1693 for identification; and
18 the excerpts therefrom were marked prosecu-
19 tion's exhibit 1693A and received in
20 evidence.)

21 LIEUT. COLONEL DAMSTE: Dr. Tan Eng Dhong,
22 in his report already introduced, states that in
23 March 1944 three Dutch POW were beheaded without
24 trial: this is affirmed by the information of H.
25 Loupatty, comprised in N.E.F.I.S. report F.I.U. 36/2.

1 The prosecution document I entered already
2 for identification and the excerpts as an exhibit.

3 THE PRESIDENT: Admitted on the usual terms.

4 LIEUT. COLONEL DAMSTE: The prosecution
5 offers in evidence for identification the affidavit
6 of Sergeant A.M.L. Mohr, Royal Netherlands Indies
7 Army, for identification, the excerpts as an exhibit.
8 Prosecution No. 5271.

9 THE PRESIDENT: Admitted on the usual terms.

10 CLERK OF THE COURT: Prosecution's document
11 No. 5271 will receive exhibit 1694 for identification
12 only, and the excerpts therefrom will receive exhibit
13 No. 1694A.

14 (Whereupon, prosecution's document
15 No. 5271 was marked prosecution's exhibit
16 No. 1694 for identification; and the ex-
17 cerpts therefrom were marked prosecution's
18 exhibit No. 1694A and received in evidence.)

19 LIEUT. COLONEL DAMSTE: At Pontianak, West
20 Borneo, in June 1942, three Dutch P.O.W., escapees,
21 were beheaded after recapture, without trial, as
22 appears from the affidavit of Sgt. A.M.L. Mohr,
23 R.N.I.A.

24 THE PRESIDENT: Aren't you going to start
25 with the document?

1 LIEUT. COLONEL DAMSTE: That is general.
2 Civilians. Internees.

3 In this area also the Dutch civilians in
4 general, women and children included, not born in
5 the Netherlands East Indies, and the higher officials
6 regardless of their birthplace were interned.

7 The prosecution offers the affidavit of
8 Mrs. Hoedt, prosecution No. 5953, for identification
9 and the excerpts therefrom as an exhibit.

10 THE PRESIDENT: Admitted on the usual terms.

11 CLERK OF THE COURT: Prosecution's document
12 No. 5953 will receive exhibit No. 1695 for identifi-
13 cation only, and the excerpts therefrom will receive
14 exhibit No. 1695A.

15 (Whereupon, prosecution's docu-
16 ment No. 5953 was marked prosecution's
17 exhibit No. 1695 for identification; and
18 the excerpts therefrom were marked prose-
19 cution's exhibit No. 1695A and received
20 in evidence.)

21 LIEUT. COLONEL DAMSTE: I will not read
22 this but only give the synopsis.

23 At Bandjermasin, in October 1943, the
24 Governor of Dutch Borneo, Dr. Haga, and some ten
25 officials were executed as well as four women, after

1 a so-called trial. Among them was the Swiss mission-
2 ary Dr. C. M. Vischer, the official delegate of the
3 International Red Cross. Other civilian internees
4 were taken away and disappeared; as appears from the
5 affidavit of Mrs. Hoedt, who also mentions the con-
6 ditions of the internment.

7 (Whereupon, a discussion off the
8 record was had.)

9 MR. BLEWETT: If the Court please, I was
10 asking the prosecution to point out the evidence to
11 the death of Dr. Vischer. I can't see it in this
12 document.

13 LIEUT. COLONEL DAMSTE: Dr. Vischer was
14 murdered along with Dr. Haga and others.

15 THE PRESIDENT: We will recess for fifteen
16 minutes.

17 (Whereupon, at 1045, a recess was
18 taken until 1100, after which the proceed-
19 ings were resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Colonel Damste.

4 LIEUT. COLONEL DAMSTE: Mr. President,
5 Members of the Tribunal: Mr. Blewett's objection
6 is correct. I have to apologize to that. The fact
7 was that I took the fact from one of my documents
8 that afterwards I decided not to introduce for
9 presentation.

10 THE PRESIDENT: Well, what about the
11 execution of the Governor and Dr. Vischer?

12 LIEUT. COLONEL DAMSTE: That was the fact
13 I referred to, sir. Am I allowed to proceed?

14 THE PRESIDENT: Proceed, Colonel.

15 LIEUT. COLONEL DAMSTE: I will read first
16 the number of the document, and introduce the docu-
17 ment, and then give the synopsis of the document, so
18 the other way around as done in the synopses and
19 testimony distributed.

20 The prosecution offers document 5325 for
21 identification and the excerpts as an exhibit.

22 THE PRESIDENT: Admitted on the usual terms.

23 CLERK OF THE COURT: Prosecution's document
24 No. 5325 will receive exhibit No. 1696 for identi-
25 fication only; and the excerpts therefrom will receive

1 exhibit No. 1696-A.

2 (Whereupon, the document above re-
3 ferred to was marked prosecution's exhibit
4 No. 1696 for identification; and the excerpts
5 therefrom were marked prosecution's exhibit
6 No. 1696-A and received in evidence.)

7 LIEUT. COLONEL DAMSTE: At Pontianak, between
8 October 1943 and June 1944, murder occurred systemati-
9 cally on a huge scale. The Japanese Military Police
10 of the Navy, Tokeitai, pretended that a plot existed.
11 Confessions were extorted after torture. About 65
12 persons were tried in this way, and executed, but
13 this would-be legal procedure was an exception. In
14 toto 1000 persons were executed at Mandor; 240 at
15 Sunggei Durian; 100 at Katapang; some at Pontianak.
16 Among the victims were several of the native rulers of
17 West Borneo, first of all the Sultan of Pontianak, along
18 with two sons. Furthermore many well-to-do Chinese
19 and Indonesians, and some Dutch officials. This case
20 was directed on orders of Navy Headquarters at Soura-
21 baya. The interrogation-reports of the Japanese Lieu-
22 tenant S. YAMAMOTO give a description of the Tokeitai
23 activities in this matter. I prefer to read a part of
24 it. That is page 3 of prosecution's document 5325, the
25 second question:

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1 "Q Who gave the order to execute all those 1340
2 people?

3 "A The 1100 people were executed by order of
4 DAIGO TADASHIGE at BALIKPAPAN; the 240 people by
5 order of KAMADA MITSUHIHAKI: both commanding the
6 naval base group at BALIKPAPAN. MITSUHIHAKI was the
7 successor of TADASHIGA. Of those 1100 people 46
8 have been before the Court Martial and were all
9 sentenced to death. Of the group of 240 people
10 17 have been court-martialled and sentenced to death.

11 "Q. Why was only such a small part of the
12 suspects court-martialled?

13 "A Indeed that was incorrect. But because the
14 suspects were dangerous to Japan, they had to be
15 punished.

16 "Q Who in PONTIANAK decided whether a suspect
17 was to be court-martialled?

18 "A TAKAGATSCHI of the Minseibu at BANDJERMASIN,
19 and others.

20 "Q Were the people arrested tortured during
21 their interrogation?

22 "A Yes, that has happened.

23 "Q Do you know what happened to the President
24 of the Chan Hwe Ng Jap Soen at PONTIANAK?

25 "A I ill-treated that man myself. I applied the

1 water-torture on him and also the electricity test
2 (torture)."

3 I will go at page four from the seventh
4 question onward:

5 "Q How is it that in both conspiracies
6 mentioned by you only such a few people were remitted
7 to Court-Martial and the others executed without
8 trial?

9 "A All ought to have been court-martialed, but
10 the trial of nearly 1000 people would have taken two
11 or three years perhaps, and moreover the enemy was
12 near.

13 "Q That last is strange; when were the conspir-
14 acies discovered?

15 "A October 1943.

16 "Q At that time there was no enemy in the
17 neighborhood; Hollandia in New Guinea was conquered
18 in April 1944 only and there was not even allied
19 air action in the Indies at the time!

20 "A That is true, but at that time there has been
21 a submarine in front of the mouth of the Kapoeas. How-
22 ever, there was no allied soldier then in the Indies.

23 "Q Then why was it necessary to be so hardhanded
24 with 1100 suspects instead of trying them properly?

25 "A The first hundred were executed by order of

1 TADASHIGE, as mentioned by me before; the others by
2 order of his successor.

3 "Q Were all those 1100 men arrested at the
4 same time?

5 "A That was done in parties, not all at one time.

6 "Q After the first arrests, did not the other
7 suspects become afraid?

8 "A Yes, but because their names were mentioned
9 by those arrested first, they also were arrested.

10 "Q Were any weapons found with the suspects?

11 "A Yes, 250, which originated from British and
12 Dutch armies.

13 "Q Has there ever been any revolt against the
14 Japanese at PONTIANAK?

15 "A No. The information concerning the conspira-
16 cy came from BANDJAR ASIN.

17 "Q Do you believe that by torturing suspects
18 they can be made to confess all sorts of things?

19 "A Yes, I can well imagine that."

20 And then on page seven, from the fourth question
21 and answer:

22 "Q Can you tell something about the Court
23 Martial which sentenced some of those arrested to
24 death?

25 "A I was present at a session of the Court

1 Martial. The Court was composed of: Colonel YAMAJI,
2 Captain TAKATA and KAWEI, registrar ARAKI, and another
3 Captain whose name I do not remember. There were 36
4 accused, who, in a session lasting from 8.30 a.m. to
5 12.30 p.m. were all sentenced to death. YAMAJI was
6 second man of the Minseibu at MANDJERMASIN. The
7 three Captains were from Soerabaja, all of the Navy.
8 TAKATA read out the charge and the results of the
9 investigation, which were translated into Malay by
10 KATO. Then the accused was asked what they had to
11 say, whereupon they all confessed guilty. There was
12 no further interrogation of them or of witnesses.
13 I remember that one of the accused, I know that this
14 was PENAGIAN said something about his children.
15 Further nothing was discussed, whereupon the Court
16 Martial, after deliberating for half an hour, sen-
17 tenced the accused to death."

18 I will go on reading my synopsis.

19 The prosecution offers 5922 for identifica-
20 tion and the excerpts as an exhibit.

21 THE PRESIDENT: Admitted on the usual terms.

22 CLERK OF THE COURT: Prosecution's document
23 No. 5922 will receive exhibit No. 1697 for identifi-
24 cation only; and the excerpts therefrom will receive
25 exhibit 1697-A.

1 (Whereupon, the document above re-
2 ferred to was marked prosecution's exhibit
3 No. 1697 for identification; and the excerpts
4 therefrom were marked prosecution's exhibit
5 No. 1697-A and received in evidence.)

6 LIEUT. COLONEL DAMSTE: An official Japanese
7 summary was published in the Japanese edited news-
8 paper "Borneo Shimbun", edition of 1 July 1944,
9 giving the names of the most prominent victims.
10 I will not read this document.

11 The prosecution offers document 5958 for
12 identification and the excerpts as an exhibit.

13 THE PRESIDENT: 5921, is it not?

14 CLERK OF THE COURT: 5921.

15 LIEUT. COLONEL DAMSTE: Oh, 5921, that is
16 correct. 5921, in evidence.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Prosecution's document
19 No. 5921 will receive exhibit No. 1698.

20 (Whereupon, the document above re-
21 ferred to was marked prosecution's exhibit
22 No. 1698 and received in evidence.)

23 LIEUT. COLONEL DAMSTE: In August 1944 the
24 Tokeitai continued its murdering by killing about
25 120 Chinese at Singkawang, West Borneo, of whom only

1 about 17 were tried, of course after the usual torture.
2 Greed was the main motive. This appears from the
3 interrogation of the Japanese, S. HAYASHI: Pros-
4 ecution document 5921.

5 With the Court's permission I will read two
6 excerpts. That is page one, the first question and
7 answer:

8 "Q Will you now state what you know concerning
9 the so-called 'Second Plot?'

10 "A In August 1944, I discovered that at SINGKA-
11 WANG some Chinese were holding a meeting. I reported
12 this to OKAJIMA who gave me a list of 50 names of
13 people I had to arrest. After the arrest of these
14 50 people during the interrogation I asked them about
15 their friends of whom I drew up a list, or to be exact,
16 two lists, of about 80 people. This list was copied
17 in writing by TANIUCHI at my office in PONTIANAK.
18 By order of OKAJIMA these 80 people were arrested
19 afterwards. All these 130 people were from SINGKAWANG
20 and, in my opinion, they were arrested on account of
21 their wealth, not because they had committed any crime.
22 This plot had been partly planned by OKAJIMA, NAGATANI,
23 YAMAMOTO and me. Those who were guilty of this plot, in
24 my opinion, deserved imprisonment at the most, but they
25 should not have been beheaded."

1 I go over to the third question on the
2 same page.

3 "Q Did all these 130 people appear before the
4 Court Martial and were they executed?

5 "A Five men from SINGKAWANG and 12 from
6 PONTIANAK appeared before the Court Martial. Then
7 their papers were sent up to SOERABAJA where the
8 Court Martial sentenced them in absentia. About
9 ten of the 130 people were released, the rest were
10 executed, with or without a trial by Court Martial.

11 "Q Do you know who gave the order for the
12 execution?

13 "A The order was given by OKAJIMA who was
14 C. O. of the Keibitai Tokeitai at PONTIANAK at the
15 time. OKAJIMA received this order from the juridical
16 department of the Second Southern Squadron at
17 SOERABAJA.

18 "Q Were you present at the interrogation of
19 these 130 people in the capacity of interpreter or as
20 an interrogator? Who were the Tokeitai people who
21 interrogated these 130 persons? What did these people
22 state during their interrogation?

23 "A At the interrogations I acted as interpreter.
24 I arrested people by order of the Tokeitai - I did not
25 arrest people on my own authority - but if I found

1 someone whom I considered dangerous, I arrested him.
2 OKAJIMA, YAMAMOTO, FURUKAWA and myself; also ISHIHARA
3 who belonged to the ordinary Police. After the
4 electrical treatment and the 'water cure' had been
5 applied, they admitted to have planned a scheme for
6 the overthrow of the Japanese authorities. I admit
7 having participated in the application of the above
8 mentioned tortures. I remember to have applied them
9 on CHA KONG DJIN, BONG KIM AN and others, I do not
10 remember their names.

11 "Q During the interrogations of these 130
12 people, were reports drawn up and were they signed
13 by them?

14 "A Yes, all these reports were signed by them
15 and afterwards sent up to SOERABAJA.

16 "Q Was the order for the execution given on
17 the strength of these reports? What do you think
18 of all this; these people were executed on the strength
19 of statements which had been made under pressure? Do
20 you think they deserved death?

21 "A Yes. A great many of these 130 men were
22 innocent and should not have been executed.

23 "Q Is their execution connected with the fact
24 that the plot had been partly planned by OKAJIMA,
25 NAGATANI and YAMAMOTO?

1 "A The confessions of the suspects had been
2 drawn up by the Tokeitai personnel and suspects
3 signed them. We anticipated that death sentence
4 would be given on the strength of these reports.
5 They were mostly wealthy and important people and
6 therefor it was better to kill them. Their money
7 and valuables were confiscated by the Tokeitai and
8 given to OKAJIMA. Where they have been sent to
9 afterwards, I do not know. I did not enrich myself
10 by them, however."

11 The prosecution offers document 5958 for
12 identification and the excerpts therefrom as an
13 exhibit.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLERK OF THE COURT: Prosecution's document
16 No. 5958 will receive exhibit No. 1699 for identi-
17 fication only; and the excerpts therefrom will receive
18 exhibit No. 1699-A.

19 (Whereupon, the document above re-
20 ferred to was marked prosecution's exhibit
21 No. 1699 for identification; and the excerpts
22 therefrom were marked prosecution's exhibit
23 No. 1699-A and received in evidence.)

24 LIEUT. COLONEL DAMSTE: At Berau, North
25 East Borneo, in June 1945, about 30 persons, mostly

1 Indonesians and a French couple, Mr. and Mme THOREZ
2 were murdered, without trial. Affidavit by the
3 Japanese Lieutenant M. SHOJI; prosecution document
4 5958. I will not read this.

5 The prosecution enters document 5268 for
6 identification and the excerpts therefrom as an
7 exhibit.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document
10 No. 5268 will receive exhibit No. 1700 for identi-
11 fication only; and the excerpts therefrom will
12 receive exhibit No. 1700-A.

13 (Whereupon, the document above re-
14 ferred to was marked prosecution's exhibit
15 No. 1700 for identification; and the excerpts
16 therefrom were marked prosecution's exhibit
17 No. 1700-A and received in evidence.)

18 LIEUT. COLONEL DAMSTE: At Kota Baru, South
19 East Borneo in June 1944 seven citizens were bayoneted
20 to death, without trial; as appears from N.E.F.I.S.
21 report No. 817 regarding the interrogation of SAIMAN:
22 Prosecution document 5268.

23 I will not read it. I will follow my synopsis.

24 At Longnawan not only prisoners of war were
25 murdered but also all civilians who lived there --

1 THE PRESIDENT: You are not giving us the
2 number of the document.

3 LIEUT. COLONEL DAMETE: I am not introducing
4 a document at the moment, sir. This comes under "e"
5 in my synopsis. It only refers to exhibit.

6 THE PRESIDENT: Well, we do not know what --
7 which document refers to which episode. However,
8 you go ahead.

9 LIEUT. COLONEL DAMSTE: At Longnawan not
10 only prisoners of war were murdered but also all
11 civilians who lived there, even babies; as appears
12 from the statements of OLDHAM and SHOJI, already
13 introduced, exhibits 1688-A and 1689.

14 The prosecution refers to the murder of the
15 white population of balikoapan, after the ultimatum
16 to refrain from destruction of the oil installations
17 had been rejected, as described in the affidavit of
18 VAN AMSTEL, exhibit 1341, introduced at an earlier
19 stage in this trial.

20 The prosecution offers document 5326 for
21 identification, and the excerpt therefrom as an exhibit.

22 THE PRESIDENT: Admitted on the usual terms.

23 CLERK OF THE COURT: Prosecution's document
24 No. 5326 will receive exhibit No. 1701 for identifica-
25 tion only; and the marked excerpts therefrom will

1 receive exhibit No. 1701-A.

2 (Whereupon, the document above re-
3 ferred to was marked prosecution's exhibit
4 No. 1701 for identification; and the
5 excerpts therefrom were marked prosecution's
6 exhibit No. 1701-A and received in evidence.)

7 LIEUT. COLONEL DAMSTE: At Pontianak women
8 were arrested and imprisoned without any suspicion
9 but only to force them to submit to sexual intercourse
10 with Japanese. Statement of S. HAYASHI; prosecution
11 document 5326.

12 The prosecution offers document 5330 as an
13 exhibit.

14 THE PRESIDENT: Admitted on the usual terms.

15 CLERK OF THE COURT: Prosecution's document
16 No. 5330 will receive exhibit No. 1702.

17 (Whereupon, the document above re-
18 ferred to was marked prosecution's exhibit
19 No. 1702 and received in evidence.)

20 LIEUT. COLONEL DAMSTE: The terrible measures
21 regarding enforced prostitution are described in the
22 report of the investigator Captain J. F. HEYBROEK,
23 Royal Netherland Indies Army; prosecution document
24 5330. This completes the synopsis of the Japanese con-
25 ventional war crimes and crimes against humanity

READ-COLLINS

DIRECT

1 committed in Borneo.

2 And now I ask the Court's permission to
3 call to the stand Lieutenant Colonel Read-Collins.

4 N I C H O L A S D. J. R E A D - C O L L I N S, called
5 as a witness on behalf of the prosecution, being
6 first duly sworn testified as follows:

7 DIRECT EXAMINATION

8 BY LIEUT. COLONEL DAMSTE:

9 Q Colonel, your name is Nicholas D. J. Read-
10 Collins?

11 A That is correct, sir.

12 Q You are a Lieutenant Colonel with the British
13 Army?

14 A I am. That is correct.

15 Q You are Chief of the British Division of the
16 Legal Section of the Supreme Command of the Allied
17 Powers?

18 A That is correct.

19 THE MONITOR: Will the witness please observe
20 the light, please.

21 Q Where were you after the Japanese surrender?

22 A I was consecutively in Rangoon, Singapore,
23 Palembang and Batavia.

24 Q When did you arrive at Batavia?

25 A About the 18th of September, 1945.

READ-COLLINS

DIRECT

1 Q What was your especial duty at Batavia?

2 A I was responsible for the air supply of
3 prisoner of war and internment camps in Java and
4 Sumatra and in Batavia itself I was responsible for
5 the feeding of sixty-five thousand prisoners of war
6 and women internees.

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READ-COLLINS

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1 Q Which internment camps did you visit?

2 A I remember visiting the women's camp at
3 Tjideng, at Kramat and Struisweg, the convalescent
4 homes which were called Mater Dolorosa and St. Vincentius,
5 and the prisoner internment 10th Battalion Camp.

6 Q What was your first impression?

7 A My first impression of these camps was as of
8 a man who has been translated to another plane and of
9 talking to people who had died before. My feeling was
10 that these people were subnormal and their reactions
11 were not what one would have expected from mature
12 people. I was shocked and revolted by the conditions
13 which I saw, principally, I think, because I had ex-
14 pected conditions to be the same as those under which
15 Japanese internees were incarcerated at Gwalior and at
16 New Dehli in India. I had to some extent been impressed
17 by the Japanese conception of moral and social behavior
18 as indicated in the etherial Bushido and, therefore,
19 the surprise was the more accentuated by the conditions
20 which I saw in Batavia.

21 I found people suffering from acute malnutri-
22 tion, hunger edema, malaria and the effects of accumu-
23 lated attacks of dysentery. The conditions which we
24 actually found were quite unknown when we planned for
25 the occupation of Java and Sumatra and, as a result, on

READ-COLLINS

DIRECT

1 arrival at Batavia we had to recast our ideas with
2 regard to the requirements of the internees on the
3 island.

4 Q What was the behavior of the men?

5 A The men, on the whole, behaved only slightly
6 abnormally. Physically they showed the signs of pro-
7 longed starvation. They were suffering from beri beri
8 and from malaria and generally suffered from tropical
9 ulcers. They found it difficult to coordinate their
10 thought and their body movements in some cases -- were
11 extremely talkative -- but in general their condition
12 was not as bad as that of the women. This, I think,
13 was due to two causes: first, that military discipline
14 had been effectively exercised by the Allied camp
15 commanders and this had resulted in a higher state of
16 morale than in the women's camps. The second cause
17 was that each man had a responsibility only towards
18 himself whereas each mother had had responsibility
19 towards her children, the feeding of them and in many
20 cases the feeding of children whose parents had either
21 died or were in other camps. In the 10th Battalion
22 Camp conditions had improved slightly because of the
23 rapid evacuation of American and British nationals to
24 Singapore and the removal of severe cases to hospitals
25 in the Singapore area.

READ-COLLINS

DIRECT

1 Q And what was the behavior of the women?

2 A The behavior of most of the women was dis-
3 tinctly abnormal.

4 THE PRESIDENT: Were they European or native
5 somen, Colonel?

6 THE WITNESS: They were European women, sir.

7 THE PRESIDENT: And were the men Europeans?

8 THE WITNESS: The men were Europeans.

9 THE PRESIDENT: Soldiers and civilians --
10 were they soldiers or civilians or both?

11 THE WITNESS: They were both, sir.

12 The physical condition of the women was similar
13 to that of the men but their mental state was, in my
14 opinion, more acute. I formed the impression that their
15 entire existence was motivated by a single urgent and
16 violent hunger drive. In conversation I felt that
17 the women in general were not responsive and, perhaps,
18 unaware of the presentation of the normal stimuli with
19 which they were confronted in the camp at that time,
20 and they showed no clear response to any stimulus
21 which was not directly related to the satisfaction
22 of the pangs of hunger. The women in Tjideng and in
23 other camps were so conditioned to starvation that
24 when the first regular supplies were taken to those
25 camps it was difficult to persuade the women camp

READ-COLLINS

DIRECT

1 commanders to issue them. It was explained to me
2 that the camp leaders felt it was necessary to hoard
3 these supplies in case there should be any decrease
4 of rations in the future. I found that every leaf
5 and every flower, every insect, every spider, every
6 rat was critically examined by most women with regard
7 to its calorific potentation.

8 The second abnormality I noticed was the
9 drive to possess and acquire small things. For ex-
10 ample, a piece of string, an old cigarette packet, a
11 piece of cellophane paper were possessions in a very
12 real sense. I was associated for several months with
13 the evacuation of women and children internees and
14 found that nearly always they carried about with them
15 a collection of useless material, old tins and pieces
16 of cloth, which for the period of their internment
17 they had had with them. I think this hunger drive and
18 the urge to possess had made a semi-permanent impres-
19 sion because in January, 1946, I traveled with a number
20 of men, women and children internees from Padang in
21 Sumatra to Batavia en route for Holland. They were
22 still carrying the tins they had made themselves for
23 water and various cooking articles which they had used
24 in the camps. On the ship after meals I watched
25 mothers brushing crumbs from the tables and taking

READ-COLLINS

DIRECT

1 them away with them. All these small pieces of food
2 were kept in tins and I was told by various women that
3 so ingrained was the habit in camps that they felt it
4 impossible not to collect up every portion of food
5 that was left behind.

6 BY LIEUT. COLONEL DANSTE:

7 Q Were they mentally unbalanced as to controlling
8 their emotions, for instance?

9 A In the early stages on the whole very little
10 emotion was manifest at all. I think perhaps this was
11 due to the fact that the women were sexually repressed
12 and their only interest in life was to satisfy hunger.

13 MR. BROOKS: If the Court please, I want to
14 object to the conclusions and opinions being given
15 by the witness in his answers. I think it is quite
16 proper to testify to the facts and leave the conclusions
17 and opinions to the Court, and will save a lot of time.

18 THE PRESIDENT: Have you made any study of
19 psychology, Colonel? It is called philosophy in some
20 universities.

21 THE WITNESS: A very superficial study, sir,
22 unguided by any professional institution.

23 THE PRESIDENT: We just want the facts as to
24 the condition of the women without any conclusion by
25 the witness as to the cause of their condition so far

READ-COLLINS

DIRECT

1 as it rests on such things as repression of sexual
2 feelings and that type of thing. He can tell us what
3 they told him as to the cause of their condition.

4 Q In what condition were the children?

5 A The children showed signs of starvation, of
6 malnutrition, and some appeared not to be greatly
7 affected. Others, however, had the appearance of
8 children who had grown up as plants grow up when kept
9 without light. The bodies of many were emaciated and
10 they had the pallor which one associates with repeated
11 attacks of malaria. I was told that the majority of
12 children had had dysentery and that the majority
13 suffered from an intense fear of the Japanese guards
14 to the camp. I think this was due not to any brutality
15 shown by the guards toward the children but due to the
16 beatings which the mothers had received. The children
17 were at first generally silent and were very slow to
18 laugh.

19 Q What was the worst camp you visited?

20 A The women's camp at Tjideng was the worst
21 which I saw.

22 Q Do you remember the number of inhabitants?

23 A Yes. There were approximately 10,200.

24 Q How were they confined? How large an area?

25 A They were confined in an area approximately

READ-COLLINS

DIRECT

1 three-quarters of a mile square. I was told that the
2 Japanese had arbitrarily taken a section of the poorer
3 residential district of Batavia and sealed it for an
4 internment camp.

5 THE PRESIDENT: We will recess now until half
6 past one.

7 (Whereupon, at 1200, a recess was
8 taken.)

HEAD-COLLINS

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AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Colonel Damste.

DIRECT EXAMINATION

BY LIEUT. COLONEL DAMSTE (Continued):

Q Colonel, we were speaking about Tjideng Camp.
How was the accommodation?

A When I went to Tjideng Camp, I saw a number
of derelict and dilapidated houses of the type I have
described before, namely, those which were formerly
occupied by minor civil officials in Batavia. In many
cases they were without doors and without windows
because these had previously been removed, first,
to make for room and, secondly, for use as firewood
which the Japanese frequently refused to provide for
cooking. The houses were without fans and adequate
ventilation for the large numbers of women and children
which were confined in each house.

Q I understand it was overcrowded, you said, to
make more room. Was it overcrowded?

A The whole camp was excessively overcrowded
and I was told that the original area which had been

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DIRECT

1 allotted by the Japanese had been reduced from time
2 to time and the area which I saw was considerably
3 smaller than the original which had been allotted.

4 Q Can you give us an example of the over-
5 crowding?

6 A Yes, in one house of which the floor space
7 was approximately 40 feet by 20 feet there were 84
8 persons living. It was quite a normal thing for 2
9 or 3 families of about 15 persons to be living in a
10 garage which would accommodate a 10 horsepower motorcar.

11 Q Had everybody sufficient bed place?

12 A In some houses there was sufficient accommo-
13 dation for people to lie on the floor and attain
14 a reasonable amount of rest, but in the example which
15 I have given of 84 people in one house, there was
16 so little accommodation that it was impossible for
17 them to sleep at night in a lying position.

18 Q How were the houses furnished?

19 A There was very little furniture indeed. This,
20 I think, was due to the fact that during the constant
21 removals no time -- warning had been given to the
22 women and they were unable to take any furniture
23 or any property whatsoever other than sufficient
24 implements with which to cook. I was told that most
25 of the furniture which had existed at one time had

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DIRECT

1 been broken up, first, to make more room for other
2 people, and, secondly, to provide fuel for cooking.

3 Q How were the amenities?

4 A There were no amenities whatsoever. There
5 was insufficient space for children to play. There
6 was no intellectual outlet for the women themselves,
7 neither was any form of education for the children
8 carried out.

9 Q Was there a playground for the children?

10 A There was no area in which children could
11 play.

12 Q And what about hygienic conditions?

13 A Because of the excessive overcrowding the
14 sanitation system of this area was hopelessly over-
15 loaded and had been so for a number of months. The
16 water supply was totally inadequate and I have been
17 told that during the period in which the camp was
18 controlled by the Japanese that very often there was
19 only sufficient water for cooking purposes. As a
20 result of the overloading of the sanitary system,
21 the septic tanks had overflowed and pieces were
22 lying in open monsoon gullies which surrounded the
23 bungalows. I saw children walking and sitting in
24 this stinking filth and was told that because of it
25 every child had at sometime been infected with a form

READ-COLLINS

DIRECT

1 of dysentery. The stench was quite sickening and the
2 only comparative I can offer is that of a battlefield
3 3 or 4 days old. The camp was full of flies to such
4 a degree that in normal conversation it was necessary
5 in some parts to hold a handkerchief over one's mouth
6 to prevent the flies from flying in. There were
7 black clouds of flies over the areas in which the
8 food was prepared.
9

10 Q Was there no collection of refuse, of
11 rubbish?

12 A Before our arrival the Japanese commander
13 had given orders to Indonesians to clear the camp and
14 this had been done to some degree. The women, however,
15 had objected to Indonesians coming into the camp
16 because they were embarrassed in their filthy conditions
17 and did not want to be seen by people from outside.
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READ-COLLINS

DIRECT

1 Q How were the internees dressed?

2 A Each woman had one dress which I was told
3 had been kept partly as a souvenir of their former
4 life but rather as a token of hope for the future,
5 and some were wearing that one dress. Others,
6 however, were wearing the same clothes which they
7 had worn during camptime. This dress consisted of
8 a pair of shorts and brassiere and most women were
9 barefooted.

10 Q Did you see mosquito nets in the camps?

11 A I never saw mosquito nets in the camp and
12 judging from the requests which I received for their
13 provision I think that no nets existed. I made in-
14 quiries on this point from the Japanese and I was
15 told that there was no malaria in Batavia.

16 Q What were the main diseases in Batavia?

17 A The main diseases were malnutrition, edema
18 from beriberi, dysentery, and a various assortment
19 of nervous disorders. Practically every woman bore
20 the marks of tropical ulcers and some still had an
21 extreme wasting of various parts of the body, of the
22 arms and of the legs, and in one instance I saw a
23 woman whose leg had been eaten away to the bone by a
24 tropical ulcer.

25 Q And what about malaria?

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DIRECT

1 A Every woman had had malaria; every child
2 had had malaria; some told me ten times, fifteen
3 times, twenty times, during internment.

4 Q How was the food when you arrived? What
5 was the daily menu?

6 A The principal items were rice, a very
7 small amount of meat, a black bread which was very
8 sour made from a product known as Asia flour. Asia
9 flour is made from tapioca root, I understand; and
10 I think a reasonable amount of green material which
11 I was told were obi leaves.

12 Q Had the food been increased since the
13 Japanese surrender?

14 A I was told that the ration had been approx-
15 imately doubled. The women were generally satisfied
16 when I was at Tjideng Camp with the ration. I in-
17 spected it and found it to be a black mess of pottage
18 which to me was completely unpalatable.

19 Q Had there been any shortage of food in
20 Batavia for the half year prior to your arrival?

21 A I made a general survey of the food stocks
22 in Java on arrival and as far as I can say, from that
23 survey, there was no shortage of food in Batavia in
24 the six months prior to our arrival and I saw no
25 signs of malnutrition amongst the local population.

READ-COLLINS

DIRECT

1 Q Had the Japanese stored food?

2 A Food was stored in considerable quantity
3 in Batavia and I inspected a number of the godowns
4 which supplied the troops of the Japanese 16th Army.

5 Q What kind of food and to what amount?

6 A The principal items were rice, tinned meat
7 and tinned fruit, white flour which could have been
8 used for bread-making. I cannot now recall the
9 exact amounts of each but I remember that it was
10 decided that these godowns held sufficient stocks
11 to feed all the internees in Batavia for six months.

12 Q Did the Japanese explain why they had
13 not issued this food although apparently an emergency
14 existed?

15 A As far as the Japanese were concerned no
16 emergency existed in connection with the condition
17 of the internees and the only emergency which was
18 foreseen was the invasion of Java and Sumatra by
19 the Allied Forces.

20 Q Were there many patients in the hospital?

21 A On my arrival at Tjideng there were, to
22 the best of my memory, about 1200, and this was
23 immediately increased to 2000 and every available
24 building in Batavia was converted into a convalescent
25 home. A number of the worst cases were evacuated by

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READ-COLLINS

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1 air to Singapore but I think this evacuation was
2 complete in about three days.

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READ-COLLINS

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1 Q Were the hospitals adequately equipped?

2 A The hospitals were very much overcrowded, in a
3 number of instances patients had no beds, were lying
4 on the floors. There was no bedding, insufficient
5 dressings, insufficient surgical equipment and a gen-
6 eral lack of drugs and anesthetics.

7 Q Had medicines been supplied before the Jap-
8 anese surrender, according to doctors or interneers?

9 A Yes, they had been provided, but, I was told
10 by the doctors, in quite inadequate quantity. I was
11 told that only major operations could be performed
12 with a general anesthetic. Minor operations such as
13 appendicitis were performed with a small amount of
14 local anesthetic.

15 Q Did the Japanese have stocks of medical sup-
16 plies?

17 A Yes. The Japanese controlled very considerable
18 stocks in the city of Batavia itself. There was in
19 Batavia a chemical manufacturer which was known as
20 the Rathkamp, and this had been working for the Jap-
21 anese during the occupation. Medical supply was
22 outside my responsibility, but it was my responsibility
23 to request from South East Asia the supplies which the
24 doctors required. As far as I remember apart from
25 vitamin extracts, anesthetics, treatment for malaria,

HEAD-COLLINS

DIRECT

1 there was considered sufficient stock in the Rathkamp
2 in Batavia to meet the needs of all the women internees
3 and the prisoners there.

4 Q Do you mean stocks for the time being, or for
5 a considerable time in advance?

6 A I do not remember for what period the stocks
7 in Batavia were adequate.

8 Q How did the Japanese look physically?

9 A They appeared to be perfectly fit and in good
10 health.

11 Q Did you visit any Japanese barracks?

12 A Yes. I made frequent visits to the Intend-
13 ance Department of the 16th Army, which was at Meester
14 Cornelius in Batavia.

15 Q Did you visit homes of the Japanese or Chi-
16 nese or Indonesian civilians in Batavia?

17 A Yes. In the course of my duties to procure
18 food I went into both Indonesian and Chinese homes.

19 Q How were they furnished? How were living
20 conditions?

21 A They appeared to be satisfactory. I am not
22 acquainted with living conditions in Java before the
23 war, but there was furniture, bedding. There appeared
24 to be no shortage of the furniture that normally is
25 in a European home.

READ-COLLINS

DIRECT

1 Q Did the internees tell you about special
2 incidents with the Japanese?

3 A I w s told of a number of incidents of
4 Japanese brutality.

5 Q Which kinds?

6 A I saw a room in Tjideng Camp in which the
7 camp commander imprisoned women at various times for
8 periods of three to fourteen days in total darkness.
9 They were imprisoned in this room, which was unven-
10 tilated, as a punishment for having asked for extra
11 food. There were a number of women who had been
12 questioned by the Kempei at various times who had
13 been subjected to the same treatment: Beating, water
14 treatment, and there were a number of women in the
15 camp who had been beaten by the Japanese guards period-
16 ically. I saw women in the camp who as punishment
17 had been given manual tasks such as chopping or dig-
18 ging, and as a result their hands and legs and shoulders
19 had been very severely calloused by the tropical sun,
20 and the exposed parts of their body were similar in
21 appearance to the scales of dried fish.

22 Q How was the attitude of the internees towards
23 the Japanese?

24 WITNESS: Will you please put that question
25 again?

HEAD-COLLINS

DIRECT

(Whereupon, the question was read by the official court reporter as above recorded.)

A I did not put this question to the women whom I saw at Tjideng. I was told that the Japanese Camp Commander had been removed as soon as the Japanese surrendered for his own personal protection. I think there was an underlying current of hatred against the Japanese guards, but this was masked to a certain degree by other problems such as food-finding. It was not very clear to understand how the women themselves felt towards the guards in the camp.

Q Was a special diet provided in the hospitals?

A No special diet was provided by the Japanese. We did our best on arrival, however, to make up a balanced diet which would satisfy the need of the internees at that time.

Q Did you notice blindness or bad eyesight among the internees?

A The camp doctors reported to me that there were cases of temporary blindness due, I was told, to a vitaminosis.

LIEUT. COLONEL DAMSTE: That concludes the direct examination, sir.

READ-COLLINS

CROSS

1 MR. BLEWETT: If the Court please.

2 THE PRESIDENT: Mr. Blewett.

3 CROSS-EXAMINATION

4 BY MR. BLEWETT:

5 Q What branch of the service are you a member,
6 Colonel?

7 A I belong to the Royal Regiment of Artillery.

8 Q Do you make a career of your army training
9 or how long have you been in?

10 A I am a regular officer and I have seen seven
11 and a half years service.

12 Q What was your profession or activity prior
13 to joining the army?

14 A I worked as a journalist.

15 Q Under what circumstances were you selected
16 for this job?

17 A You mean my position in Java?

18 Q Yes, sir.

19 Q At the time of the Japanese surrender I
20 belonged to an organization which was responsible for
21 communicating with prisoners of war and internees
22 and necessitated work behind Japanese lines. I was,
23 therefore, on the spot and was nominated to look after
24 their interests in Java.

25 THE PRESIDENT: Are you wearing a paratrooper's

READ-COLLINS

CROSS

1 badge?

2 THE WITNESS: I am, sir.

3 Q What were your orders, colonel?

4 A For which particular operation, sir?

5 Q For the job in Batavia when you were sent
6 there on the 18th of September.

7 A My task was to survey the stocks of Japanese
8 food in Java, to use them as was necessary for the
9 prisoners of war and internees, and to obtain from
10 South East Asia Command such food and medical supplies
11 as was necessary and to have it sent in by air.

12 Q Were the internees still in the three camps
13 which you visited and the convalescent home and the 10th
14 Battalion Camp when you reached there? I should add,
15 sir, when you reached the various camps.

16 A They were, sir.

17 Q How much time did you spend in all in this
18 region?

19 A My first visit to Batavia lasted about two
20 months and I have returned on temporary duty several
21 times during the last year.

22 Q Can you give us any proportion as to the
23 amount of food that was brought in from outside as
24 contrasted with the food that was obtained in Batavia?

25 A I can't remember the exact detail. I think

READ-COLLINS

CROSS

1 in the time in which I was at Batavia roughly ten
2 sorties by Dakota were coming into Java and Sumatra
3 per day. Each Dakota was carrying about 3,500 pounds.

4 Q Had you completed, sir?

5 A And the contents consisted principally of
6 drugs, of milk, and of surgical implements.

7 Q Would you say, Colonel, that the bulk of the
8 food and drugs and supplies came from outside?

9 A No, sir. I should not say so, except for
10 such as I have mentioned before, which was plasma,
11 atabrine, and anesthetics.

12 MR. BLEWETT: That is all.

13 THE PRESIDENT: Mr. Levin.

14 CROSS-EXAMINATION (Continued)

15 BY MR. LEVIN:

16 Q Colonel, in the Tjideng Camp where you learned
17 women had been imprisoned in a dark room for asking for
18 extra food, had you contacted any of these women?

19 A Yes, sir. I spoke to two of them who had had
20 this experience.

21 Q Do you know how many had been treated in that
22 manner?

23 A No, sir.

24 THE PRESIDENT: Captain Brooks.
25

READ-COLLINS

CROSS

CROSS-EXAMINATION (Continued)

1
2 BY MR. BROOKS:

3 Q This example that you gave, Colonel, of the
4 eighty-four persons that were confined, how long was
5 this period of confinement where the conditions were
6 crowded like you set out in your example?

7 A I don't know the exact period. I think, as
8 far as I remember, that the excessive overcrowding
9 had been effective for about a year before the sur-
10 render.

11 Q By that you mean the excessive overcrowding
12 in the camp?

13 A Yes.

14 Q Now, in this example that you gave, were all
15 of these persons adults or were some of them children?

16 A Some were children.

17 Q Now, Colonel, you stated here that you belonged
18 to an organization that had worked behind the enemy
19 lines. What was the type of organization that you
20 referred to?

21 A This was a secret military organization which
22 was charged with contacting prisoners of war in the
23 camps during war time, to maintain contact with them
24 and to offer them means of escape.

25 Q How long had you been engaged in such work

READ-COLLINS

6P225

1 behind the lines prior to the surrender?

2 A Approximately four months.

3 Q Did your duties also include any acts of
4 sabotage or organization of guerrilla forces?

5 THE PRESIDENT: It would be surprising if he
6 had the opportunity and he didn't take it. He need
7 not answer.

8 MR. BROOKS: That is all, your Honor.

9 MR. BLEWETT: I think that is all the cross-
10 examination.

11 LIEUT. COLONEL DAMSTE: No redirect.

12 THE PRESIDENT: The witness is released on
13 the usual terms.

14 (Whereupon, the witness was
15 excused.)
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1 LIEUT. COLONEL DAMSTE: Mr. President,
2 I respectfully ask that Major Ringer be called to
3 the witness stand.

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4
5 MICHAEL C. G. RINGER, called as a
6 witness on behalf of the prosecution, having
7 first been duly sworn, testified as follows:

DIRECT EXAMINATION

BY LIEUT. COLONEL DAMSTE:

Q Your name is Michael C.G. Ringer?

A That is my name.

Q You are a major in the British Indian
13 Army?

A Yes, emergency commissioned officer.

Q You are attached to the British Division
16 of the Legal Section of the Supreme Command for the
17 Allied Powers?

A Yes, I am.

Q What was your occupation prior to the
20 war?A I was a partner in the company of Holme,
22 Ringer and Company, in Kyushu, Japan.

Q So you had a leading position?

A Yes, I was also the honorary vice
25 consul for Greece, and when my father was away I

RINGER

DIRECT

1 acted as honorary consul for British, Netherlands,
2 Norway, Sweden and Portugal.

3 Q What were your principal duties?

4 A We were shipping, banking and insurance
5 agents.

6 Q Did you leave Japan before the war?

7 A Yes, I left Japan in September 1940.

8 Q And why?

9 A I was arrested in July 1940 for alleged-
10 ly spying, and after a trial I was sentenced to
11 fourteen months penal servitude. The sentence was
12 suspended for four years and I left Japan.

13 Q Where did you go to?

14 A I went to Belgaum, India.

15 Q And what was your occupation there?

16 A I was training as an officer cadet.

17 Q When were you commissioned?

18 A The first of March 1941.

19 Q And where were you posted?

20 A I was posted at headquarters, Third
21 Indian Army Corps, Kuala Lumpur, Malay. I was
22 intelligence officer.

23 Q Where were you at the time of the sur-
24 render of Singapore?

25 A I was en route to Java.

RINGER

DIRECT

1 Q Did you reach Java?

2 A No, I was captured by the Japanese
3 Navy in the Bangka Straits.

4 Q So you were made a prisoner of war?

5 A Yes, I was made a prisoner of war.

6 Q In which camps were you confined until
7 the Japanese surrender?

8 A Muntok, on Bangka Island, and Palembang
9 city and environs.

10 Q When?

11 A From the 17th of February 1942 up
12 until March 1942, and on Bangka Island, and from
13 then on in Palembang.

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1 Q In the same camp at Palembang?

2 A No. First, until April 1944, we were in the
3 city, after which we were taken out to a jungle camp
4 some eight miles outside the city.

5 Q Did you have any special occupation in the
6 camps?

7 A Yes. I was camp interpreter, working party
8 officer, and assistant adjutant.

9 Q What did you do after your release?

10 A I went home to England.

11 Q And when were you sent back to the Far East,
12 and for what duty?

13 A I volunteered to come back to the Far East
14 in May 1946, and joined the headquarters of War Crimes,
15 Allied Land Forces, Southeast Asia, in Singapore.

16 Q What was your special duty?

17 A I was staff captain investigating war crimes
18 in Sumatra.

19 Q When did you leave Singapore, and where did
20 you go to?

21 A I left Singapore in August 1946 for Medan,
22 Sumatra.

23 Q What was your duty at Medan?

24 A I was war crimes liaison officer to help
25 investigations of the Dutch team in Medan. I also

RINGER

DIRECT

1 investigated and interrogated Japanese war criminals.

2 Q Only Japanese?

3 A I also interrogated many ex-prisoners of
4 war and internees.

5 Q Did you read reports on all prisoner of war
6 camps of Sumatra?

7 A Yes, I read all reports on prisoner of war
8 camps in Sumatra.

9 THE PRESIDENT: Just say yes. Don't repeat
10 the question, Major.

11 Q So you think you have a comprehensive
12 knowledge of conditions in such camps?

13 A Yes, both from my personal experience and
14 investigations.

15 Q What was the attitude of the Japanese head-
16 quarters at Medan regarding your investigation?

17 A In minor cases they were fairly helpful;
18 but in major crimes they were very obstinate.

19 Q Did they protect officers and put the blame
20 on guards?

21 A Yes.

22 THE PRESIDENT: Mr. Levin.

23 MR. LEVIN: Mr. President, I want to object
24 to that question, on the ground it is leading and
25 suggestive.

RINGER

DIRECT

1 THE PRESIDENT: Yes, it could have been put
2 in a less objectionable way. However, we have the
3 answer now.

4 MR. LEVIN: May that answer be disregarded,
5 Mr. President?

6 THE PRESIDENT: We will only waste time
7 getting the same thing in another way. My colleagues
8 can take their own view of that. But it is objectionable
9 on an important matter to lead.

10 MR. LEVIN: I should like to say,
11 Mr. President--

12 THE PRESIDENT: To shorten the -- your
13 objection is allowed, Mr. Levin, so the Colonel can go
14 about it in another way.

15 We will recess for fifteen minutes.

16 (Whereupon, at 1445, a recess
17 was taken until 1500, after which the pro-
18 ceedings were resumed as follows:)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Colonel Damste.

4 BY LIEUT. COLONEL DAMSTE (Continued):

5 Q When did you leave Sumatra, Major?

6 A November, this year.

7 Q How many Japanese had been tried up to
8 that time and with what results?

9 A Twenty-four --

10 THE PRESIDENT: Captain Brooks.

11 MR. BROOKS: If the Court please --

12 A (Continuing): -- of which nine were
13 sentenced to death --

14 MR. BROOKS: If the Court please, if the
15 witness will allow counsel to make an objection:
16 I think it is highly irrelevant and immaterial as
17 to the convictions of the Japanese down there in
18 that case to be brought in at this time. I think
19 the question is improper.

20 THE PRESIDENT: They have been admitted
21 before.

22 We admit it for what it is worth. The
23 objection is overruled.

24 A (Continuing): -- 13 to various terms of
25 imprisonment and 2 were acquitted.

RINGER

DIRECT

1 Q And how many Japanese were still in custody
2 awaiting trial on specific charges?

3 THE PRESIDENT: If that is objected to, we
4 will allow the objection.

5 MR. BROOKS: Same objection, your Honor.

6 Q Have you any idea how many prisoners of
7 war were concentrated in Sumatra and of what national-
8 ity they were?

9 A At the maximum time, in early 1944, some
10 two thousand British and six thousand, five hundred
11 Dutch.

12 Q About how many died up to the time of the
13 Japanese surrender?

14 A Approximately fourteen hundred.

15 Q Going back to your own experiences as a
16 prisoner of war, did the Japanese recognize you as
17 such?

18 MR. BROOKS: If the Court please, I object
19 to that. That evades the province of the Court, calls
20 for a conclusion of the witness on the legal signifi-
21 cance of that question.

22 THE PRESIDENT: It is not within that category
23 at all. The objection is disallowed. The witness may
24 answer.

25 A At first we were treated as just plain

RINGER

DIRECT

1 criminals until September, 1942 when we were forced
2 to sign a parole form.

3 Q Did you sign the parole?

4 A Yes, under duress. Six hundred and fifty
5 British prisoners of war were locked into one small
6 school. Even our hospital patients were thrown
7 out of the hospital and brought into the camp. Our
8 senior commanders were put into solitary confinement.
9 We were on minimum rations. After five days, dysentery
10 developed; and one man, Lieutenant Leggard died from
11 results of dysentery. We signed the parole form on
12 the eighth day.

13 Q How many prisoner of war camps existed in
14 Sumatra during the war?

15 A Up till October 1943 there were three camps,
16 at Palembang, Padang and Me'dan. After that date there
17 were two camps at Palembang and Pakanba'ru. These
18 main camps were split up into minor camps.

19 Q Were there many reshufflings of prisoners
20 of war?

21 A Yes. Most of the prisoners of war had to
22 work on aerodromes and railways. When these were
23 completed, they were moved to make new aerodromes and
24 continue the railway line further.

25 Q Did general conditions differ in different

RINGER

DIRECT

1 camps?

2 A All camps were very much alike in their
3 conditions. They were all bad.

4 Q What methods of transportation were used
5 in the moving of prisoners of war to Sumatra?

6 A Troop transports.

7 Q Do you know about conditions that existed
8 on board these ships?

9 A Yes. I met one ship that arrived in Palembang.
10 The commander, the Dutch commander of the
11 ship told me that they had been battened down in
12 holds, were terribly overcrowded. They had only
13 one meal a day and all the water they had was what
14 they could take in their canteens when they left
15 Batavia. The latrines were completely inadequate.
16 Several died of dysentery and claustrophobia. On
17 another occasion, in May, 1945, we sent a draft of
18 sixteen hundred prisoners of war from Palembang to
19 Singapore. These were put on board a collier of two
20 thousand tons. The collier was fully loaded with coal.
21 Prisoners of war were billeted on the hatches. There
22 was no cover, no shelter from the sun or the rain.
23 The journey took five days.

24 Q Were the ships marked in any way to indicate
25 that they were carrying prisoners of war?

RINGER

DIRECT

1 A A Dutch officer who was on a submarine that
2 torpedoed the Van Waerwyck in Malaka Straits personal-
3 ly told me that there were no prisoner of war signs
4 on board the ships.

5 Q Do you know of any cases in which such ships
6 were torpedoed?

7 A In June, 1946, -- in June, 1944, the Van
8 Waerwyck with seven hundred prisoners of war on
9 board was torpedoed in the Malaka Straits. Two
10 hundred and fifty prisoners of war were drowned.
11 I personally interrogated the Japanese commandant --
12 troop commandant of this ship. He admitted to me
13 that there was no sufficient life-saving equipment
14 for the prisoners of war. They were all battened
15 into one hatch. There was only one ladder they
16 could escape by. In September, 1944, the Junior
17 Maru was torpedoed between Bencoolen and Padang off
18 the west coast of Sumatra. This ship was carrying
19 two thousand, three hundred prisoners of war and
20 five thousand Javanese coolies. After the ship had
21 been torpedoed, the prisoners of war and coolies were
22 machine-gunned in the water. Others who tried to
23 board rafts had their hands chopped off and their
24 skulls smashed in.

25 THE PRESIDENT: This is hearsay, obviously.

RINGER

DIRECT

1 We should know the source of it so as to be in a
2 position to give it its true value.

3 THE WITNESS: I have, your Honor, seen affi-
4 davits from people who were on board the ship.

5 THE PRESIDENT: This is an unusual type
6 of evidence, Colonel. Generally you get an affi-
7 davit from survivors or from somebody who was closer
8 to the matter than this person has been.

9 Q How were the prisoners of war transported
10 on land?

11 A By truck or in railway cattle wagons, and
12 generally by long marches.

13 Q What kind of accommodation was provided for
14 the prisoners of war in camps?

15 A In our camp in Palembang we were originally
16 quartered in schools. After April, 1944, we were in
17 the jungle in atap huts. These atap huts had no
18 flooring and only bamboo beds. The roofs were always
19 leaking and men had no room to sleep when it was
20 raining as they had to sit up. Due to the over-
21 crowding of these huts, they were full of vermin,
22 rats, lice, and bedbugs.

23 Q What was the nature of the camp surroundings?

24 A In Palembang City we were in the slum of the
25 city. In the jungle we were in the jungle camp with

RINGER

DIRECT

1 jungle all around. In Pakanbaru the camps were
2 built in jungle and swamp. Camp No. 1 in Pakan-
3 baru was continually flooded. In one case the
4 water was up to the prisoners of war's armpits.

5 Q How about sanitation?

6 A In our school camp in the city we had
7 six lavatory seats for over six hundred prisoners
8 of war. In the jungle camps the latrines were just
9 trenches covered with bamboo. The bamboo often
10 broke and people's legs and even their bodies falling
11 through. In one case in Pakanbaru a man was actually
12 drowned.

13 Q What about bathing facilities?

14 A Bathing facilities were from wells only,
15 and in the summer camp during the drought season
16 we just had to go without baths. We were allowed one
17 pint of water a day; and even before we could drink
18 this water, we had to let it settle so that the mud
19 would settle to the bottom.

20 Q Were disinfectants provided by the Japanese?

21 A In Pakanbaru camps, no. In our camp we
22 were in the oil center. We sometimes got some oil to
23 put in the latrines.

24 Q Was bedding provided?

25 A No bedding was provided whatsoever.

RINGER

DIRECT

1 Q And mosquito nets?

2 A No mosquito nets were provided.

3 Q Were there many mosquitoes in the areas of
4 the camps?

5 A In the tropical area there it was mosquito
6 infested. The men tried to make mosquito nets out
7 of sacking which they had stolen.
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1 Q Was clothing provided?

2 A In the early stages, before we were recog-
3 nized as POW's, there were big stocks of clothing
4 at Palembang City, and we were provided with one
5 suit and a pair of boots each. By June, 1945, as
6 we had not been supplied any further clothes, prison-
7 ers of war were working in just "TOJO-step-ins" with
8 no boots, no shirts or hats.

9 Q Was clothing provided after the surrender?

10 A After the surrender we were provided with
11 too many clothes, mosquito nets; and the Japanese
12 camp commander made a speech, saying: would we
13 please wear the clothing supplied as Great Britain
14 was an honorary nation, and the local natives should-
15 n't see members of such a great empire going around
16 with no clothes on.

17 Q You mentioned two shipwrecks. Were the
18 shipwrecked people who survived provided with clothes?

19 A No. They were not supplied with clothes.
20 Prisoners of war had to share what they had with
21 them.

22 Q Was medical attention provided?

23 A There was a Japanese doctor appointed to
24 the camp. But this doctor took no interest in the
25 camp except he walked around and our own doctors pro-

RINGER

DIRECT

1 vided all the medical attention.

2 Q Were there any hospitals?

3 A The hospitals were the same atap huts that
4 the fit men were billeted in. Sick men were lying
5 on broken bamboo beds. We asked the Japanese doctor
6 to supply boarding for the very sick. This was re-
7 fused, but his own office was boarded, and all the
8 guards' barracks were boarded. There were no bed
9 pans in the hospital, and dysentery patients had to
10 walk to the latrine from thirty yards away. I,
11 myself, had dysentery and had to walk some fifteen
12 and sixteen times a day with high fever in the rain.

13 Q Were medical instruments provided?

14 A In Pakan Baru Camps a certain amount of
15 medical equipment was supplied. In our own camps
16 we were supplied with nothing; and even our own
17 doctors who had full medical equipment with them, this
18 was confiscated. In one case we had a man with
19 strangulated hernia. We asked the Japanese -- we
20 had no instruments -- to take him to the Japanese
21 military hospital. We were informed by our Japanese
22 doctor that it was against the High Command's orders
23 for any prisoners of war to be allowed in any Japan-
24 ese military hospital. We performed this operation
25 in the camp, and the man died that evening.

RINGER

DIRECT

1 Q What were the most frequent diseases that
2 needed medical treatment?

3 A Malaria and dysentery. We had practically
4 no quinine and nothing to cure dysentery with. All
5 I had when I had dysentery was charcoal made from
6 our own fires.

7 Q Was no quinine provided?

8 A In our camp we were supplied with a small
9 quantity; completely inadequate. In the Pakan Baru
10 Camps none was supplied.

11 Q Did tropical ulcers occur?

12 A Tropical ulcers were -- came to nearly
13 everybody in camp at one time or another.

14 Q Were dressings provided?

15 A An inadequate amount of rags and paper were
16 provided as dressings. This was insufficient, and
17 we used to have to use bark off bamboo trees.

18 Q You mean bamboo trees?

19 A Banana trees, I am sorry.

20 Q Were the Japanese short of medical supplies?

21 A Will you repeat that question, please?

22 (Whereupon, the last question was
23 repeated by the official court reporter.)

24 A No. We had chemists working in Japanese
25 godowns sorting medicines and drugs. As soon as the

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1 surrender took place, we were supplied with emetine
2 and all necessary drugs. All our sick were moved to
3 the Japanese military hospital.

4 Q Were any Red Cross medicines supplied?

5 A In September, 1944 we received a very small
6 supply of Red Cross medicine. Our liaison officer
7 actually saw the Japanese doctor removing the drugs
8 from these supplies.

9 Q Did Japanese medical officers inspect your
10 camp?

11 A Our Japanese camp doctor inspected the camp
12 once a week. After he left in June, 1945, we only
13 saw the Japanese doctor once every three weeks.

14 Q About food: How many meals were given
15 daily?

16 A We were given a certain amount of rations
17 which we had to make do for the day. In our camp
18 we eked it out for three meals a day, but in other
19 camps there were only two meals a day.

20 Q Would you tell us the typical menu.

21 A In our camp, for breakfast we had very
22 watery rice; for lunch we had watery rice mixed up
23 with leaves of sweet potato; in the evening we had
24 dry rice with a taste of dried fish or dried meat.
25

 Q Major, what was the official ration laid

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1 down by the Japanese authorities?

2 A Up to October, 1943 we had 700 grams for
3 heavy workers, 500 grams for light workers. From
4 that time up 'til May, heavy workers received 500,
5 light workers 300. From May until the surrender,
6 heavy workers received 400 grams, light workers 250,
7 sick in hospital 150.

8 Q Did meat and vegetables belong to the
9 official ration?

10 A The official ration of meat or fish was 50
11 grams a day, and vegetables 250 grams a day.

12 Q Was the food ration issued according to
13 this official scale?

14 A Yes. The rice was issued according to the
15 scale except the loss in bag was usually about ten
16 per cent. We were often supplied with rice sweepings
17 and limed rice which all had to be gone through and
18 sorted and washed. Meat ration and fish: After
19 May, 1944 we never saw any fresh meat or fish what-
20 soever. We received about an average of ten grams
21 a day of either dried fish or dried meat. On one
22 occasion, for a week's ration, we were supplied with
23 dried tapioca roots. We complained, these were
24 uneatable, and the Japanese Quartermaster's answer
25 was, "If you can't eat it, send it to the pigs."

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1 Q How were the Japanese fed?

2 A The Japanese garrison troops had 600 grams
3 a day of rice and 150 grams a day of fresh meat or
4 fish. This was supplied to them right up to the end
5 of the war. Even the vegetables we grew in our own
6 garden, which was supposed to be for us, we got the
7 leaves, and the Japanese took the roots; that is,
8 sweet potatoes and tapioca.

9 Q Did your medical men consider the caloric
10 value sufficient?

11 A No. At the end, the value -- the calorific
12 value was about 650 to 700 calories.

13 Q And what did he say about the vitamin value?

14 A Food lacked vitamin of all sort, especially
15 vitamin B. We understood the Japanese did not like
16 red rice. We asked for red rice to supply us with
17 vitamin B. We were told we had to take what we got.

18 Q What was the effect of this diet on the
19 physical condition of the prisoners of war according
20 to the doctors?

21 A Severe malnutrition resulted. And, owing
22 to the lack of vitamin B, practically everybody in
23 the camp had beri-beri. Out of the camp total
24 strength at the end of May, 1945, 1,050, in June we
25 lost forty-two lives; in July, ninety-nine; and in

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1 August, 135.

2 Q What were the other consequences of mal-
3 nutrition?

4 A Exhaustion, causing heart attack from hard
5 work, pellagraz, and loss of eyesight.

6 Q What was the average percentage of sick
7 among the prisoners of war?

8 A In our camp, twenty-five per cent; in one
9 of our sub-camps it was up to sixty per cent at one
10 time.

11 Q Did your senior officers protest about
12 these conditions?

13 A Yes. We sent in letters to the Japanese
14 Camp Commandant.

15 Q With any results?

16 A No. There was no improvement in our con-
17 ditions at all. The interpreter advised us not to
18 write so many letters as it was just annoying the
19 camp staff.

20 Q Didn't they explain their attitude?

21 A Their attitude was -- one day after we had
22 buried five men, I complained to the Japanese
23 interpreter. He told me that the British shot their
24 sick animals, dogs and horses, and that's the atti-
25 tude of the Japanese command to the sick prisoners

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1 of war.

2 Q Were the prisoners put to work?

3 A Yes. All prisoners of war had to work.

4 Q Were officers and non-commissioned officers
5 compelled to work?

6 A We were compelled to work because, if we
7 didn't work, we were put on hospital rations. There
8 was no discrimination between the NCO's and the men.
9 They all had to do the same work.

10 Q What kind of work had to be done, Major?

11 A In our camp, first we built an airdrome.
12 We then built anti-aircraft and searchlight positions.
13 Later we worked on the docks unloading rice, lime and
14 ammunition. Also, some men were forced to work in
15 precision instrument factories in which they had to
16 repair range finders and airplane parts. The officers
17 supervised working parties and also worked in the
18 camp gardens.

19 THE PRESIDENT: We will adjourn until half-
20 past nine tomorrow morning.

21 (Whereupon, at 1600, an adjourn-
22 ment was taken until Tuesday, 24 December
23 1946 at 0930.)
24

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